

Memorandum

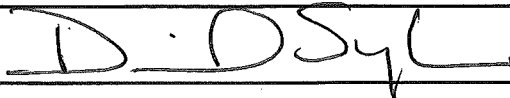
TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Angel Rios, Jr.

**SUBJECT: MARTIAL COTTLE PARK
COMMUNITY GARDEN**

DATE: March 16, 2015

Approved



Date

3/26/15

COUNCIL DISTRICT: 10

RECOMMENDATION

Approve an agreement between the County of Santa Clara and the City of San José for the City's development and operation of a 1.5 acre community garden site within Martial Cottle Park.

OUTCOME

The City will have the right to develop and operate a community garden on Santa Clara County (County) parkland for at least 20 years. This project will provide Council District 10 with its first community garden site, consisting of at least 36 in-ground garden plots, six above-ground plots and four accessible garden tables. The agreement with the County allows the build-out of 135 additional community garden plots in the future, if funding becomes available.

BACKGROUND

Martial Cottle Park (the Park) is comprised of 256 acres of farmland, located in Council District 10, north of Highway 85 bounded by Branham Lane to the north, Snell Avenue to the east and Chynoweth Avenue to the south. Public vehicles will be able to enter the Park from Snell Avenue. Pedestrian access is from the surrounding streets.

The Park is a reminder and bastion of Santa Clara Valley's agricultural history. The Park is a collaborative project between California State Parks and Santa Clara County Parks, resulting from a gift of land by Walter Cottle Lester to the County, and the sale of land to the State. The vision of the late Mr. Lester for Martial Cottle Park was that the land be jointly developed, operated and maintained as one park, to promote and sustain farming traditions, thereby displaying the agricultural heritage of Santa Clara Valley from the mid-19th century to the present. The County is the lead agency in implementing the approved Martial Cottle Park State General Plan/County Park Master Plan (the Plan). The Plan establishes four land-use zones for the Park, each with distinct management goals and objectives. These four zones include: Park and Recreation areas, Leased Agriculture, Habitat Enhancement, and Cooperative Management.

The Plan can be found at: <http://www.sccgov.org/sites/parks/PlansProjects/Pages/Martial-Cottle-Park-Project.aspx>. The planning process for Martial Cottle Park was conducted over a four-year period from 2007 to 2010, and involved community members and local, state and federal agency representatives. The resulting master plan provides new and unique educational and recreational opportunities for local, regional and statewide visitors, while enhancing the existing habitat and retaining most of the site as active farmland as shown in Figure 1, attached.

The Plan proposes 1.5 acres for a community garden within the Cooperative Management Zone, an area that will be managed by entities other than County Parks through agreements. The community garden envisioned in the Plan contains publicly accessible garden plots for the use of City and County residents for raising fruit, vegetables, and ornamental plants for personal consumption. The City's two nearest community gardens are Discovery, located at the intersection Branham Lane and Discovery Avenue, and La Colina on Allegan Circle near Lean Avenue, about 1.5 miles and 2.0 miles away, respectively.

ANALYSIS

In 2008, the City Council set aside \$500,000 in the Park Trust Fund to fund the development of a community garden in Martial Cottle Park. City staff has negotiated an agreement with County staff to permit the City to construct and operate a half-acre community garden within Martial Cottle Park, with future expansion of the remaining acre when funding becomes available. The agreement requires approval by both the San José City Council and the Santa Clara County Board of Supervisors.

Staff from the Department of Public Works has and will continue to provide the design and project management services for Phase 1, to partially develop the community garden area (see area denoted as Lot 4 in Figure 2, attached). Currently, funding is only available for Phase 1, which is approximately one half-acre in size. The agreement allows the City to expand the garden to its full size of 1.5 acres with 177 garden plots, if future funding becomes available. The total estimated cost for the full build-out of the community garden is \$1.3 million dollars.

The total funding for Phase 1 is \$512,000. This amount reflects the interest collected to date from the original \$500,000 budgeted in 2008. Phase 1 will grade the whole site and install at least 36 in-ground garden plots (10 feet by 20 feet), six above-ground accessible garden plots (5 feet by 20 feet), four accessible garden tables, two benches, a temporary storage shed, a trellis to shade two picnic tables, a drinking fountain, a preparation table, signage, aggregate base paving, and utilities. The City will provide at least one portable toilet for the gardeners in Phase 1. Gardeners will have pedestrian access to street parking on Chynoweth Avenue. The agreement requires the completion of the construction of Phase I within two years of the execution date.

The initial term for the Agreement is for twenty (20) years from the Commencement Date, and will be rent-free. Upon two separate requests by the City, the County may grant to the City two additional ten (10) year options to extend the term and conditions of the original Agreement. The City is responsible for all utilities, maintenance, and operational costs associated with the 1.5 acre community garden site. Ten percent of the garden plots will be initially offered to non-

city residents per the Agreement to reflect the beneficial use of County parkland for the community garden at no annual fee to the City. The City does have ability, with approval of the County Parks Director, to build a different type of garden in Phase II, such as the current cooperative Veggielution farm at Emma Prusch Farm Park.

EVALUATION AND FOLLOW-UP

Phase 1 development for the community garden is anticipated to be completed within two years from the date of final execution of the agreement with the County.

PUBLIC OUTREACH

This item will be posted on the City's website for the April 7, 2015 City Council agenda. On October 2, 2013, the City Parks and Recreation Commission accepted a report from PRNS regarding the City's proposed community garden in Martial Cottle Park.

COORDINATION

This memorandum was coordinated with City Attorney's Office, City Manager's Budget Office, Planning, Building and Code Enforcement Department, and the Department of Public Works.

FISCAL/POLICY ALIGNMENT

The City's community garden program began in 1977. Currently 467 people are on the waiting list for the City's 1,009 garden plots. The 2009 Update of the City's Greenprint noted the discussion between the City and the County regarding a community garden as part of the future use of Martial Cottle Park. Policy PR-2.1 within the City's Envision San José 2040 General Plan encourages healthful food choices, exercise, and the production of locally grown agriculture for personal use by providing community garden facilities.

COST SUMMARY/IMPLICATIONS

1.	AMOUNT OF RECOMMENDATION/COST OF PROJECT:	
	Project Delivery	\$95,000
	Construction	\$352,000
	Contingency	\$20,000
	Total Project Costs	<u>\$467,000</u>
	Prior Year Expenditure (Design Work)	\$45,000
	Phase One Project Total	<u>\$512,000</u>

2. COST ELEMENTS OF AGREEMENT/CONTRACT:
Design and construction costs for Phase 1 of the community garden.
3. SOURCE OF FUNDING:
Subdivision Park Trust Fund – Fund 375.
4. FISCAL IMPACT:
At this time only one half-acre will be constructed, and the operating and maintenance costs impact is estimated to be approximately \$30,000 in the first year, and \$42,000 annually. Funding for the operating and maintenance costs associated with this facility is included in the base budget for the Parks, Recreation and Neighborhood Services Department.

BUDGET REFERENCE

The table below identifies the fund and appropriations proposed to fund the contract recommended as part of this memo and remaining project costs, including project delivery, construction, and contingency costs.

Fund #	Appn #	Appn. Name	RC #	Total Appn	Amt. for Contract	2014-2015 Adopted Capital Budget Page	Last Budget Action (Date, Ord. No.)
<u>Current Funding Available</u>							
375	7639	Martial-Cottle Community Garden	178460	\$467,000	N/A	Page V-595	10/07/14 Ord. No. #29496
Total Current Funding Available				\$467,000			

CEQA

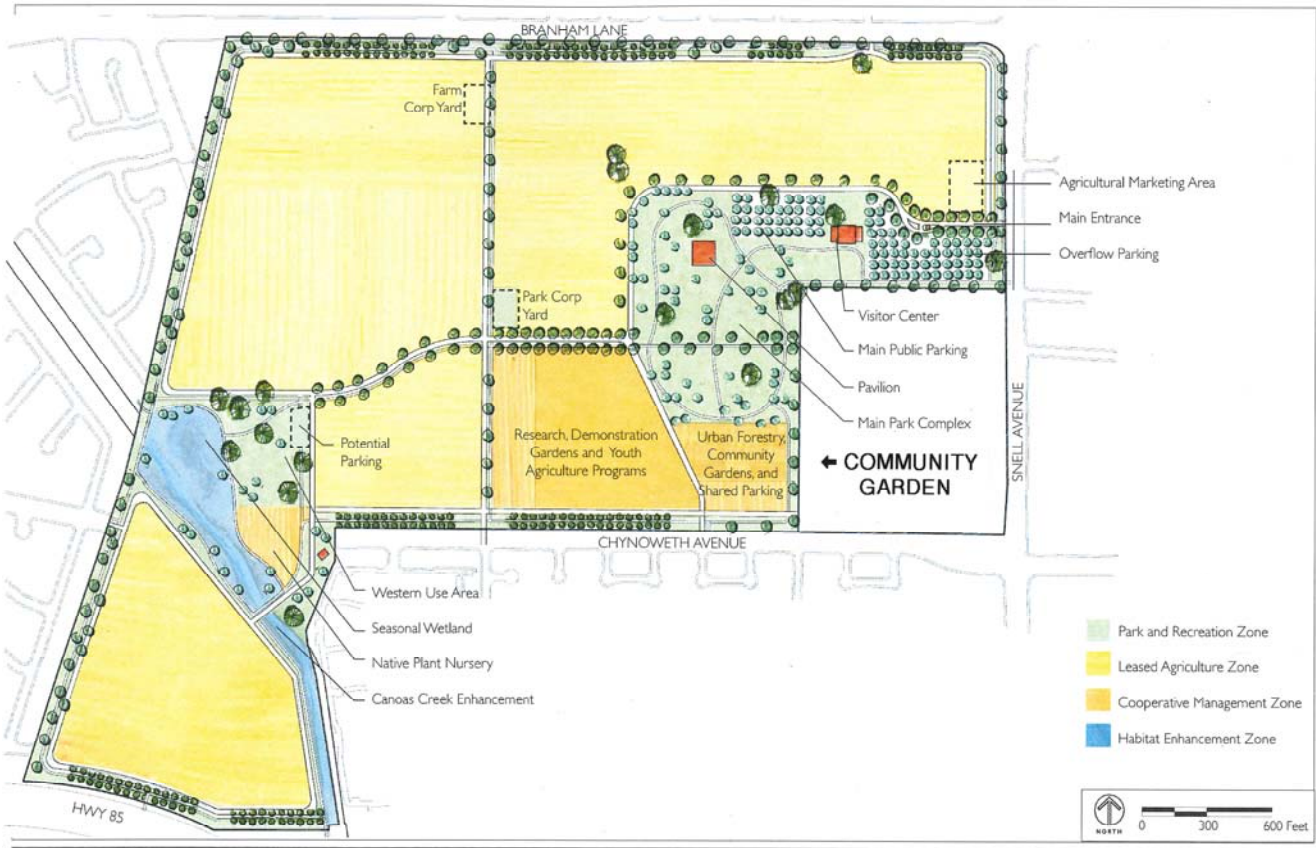
Exempt, File No. PP14-050.

/s/
ANGEL RIOS, JR.
Interim Director of Parks, Recreation and
Neighborhood Services

For questions please contact Marybeth Harasz, Interim Deputy Director, at (408)793-5514.

Attachment: Figure 1 – Master Plan Layout for Martial Cottle Park
Figure 2 – Lot 4 for the Community Garden within Martial Cottle Park
Figure 3 – Site Plan for the Community Garden
Figure 4 – Project Elements Description

Figure 1
Master Plan Layout for
Martial Cottle Park



The Master Plan document can be found at: www.sccgov.org/sites/parks/PlansProjects/Pages/Martial-Cottle-Park-Project.aspx

Figure 2
Lot 4 for the Community Garden
within Martial Cottle Park

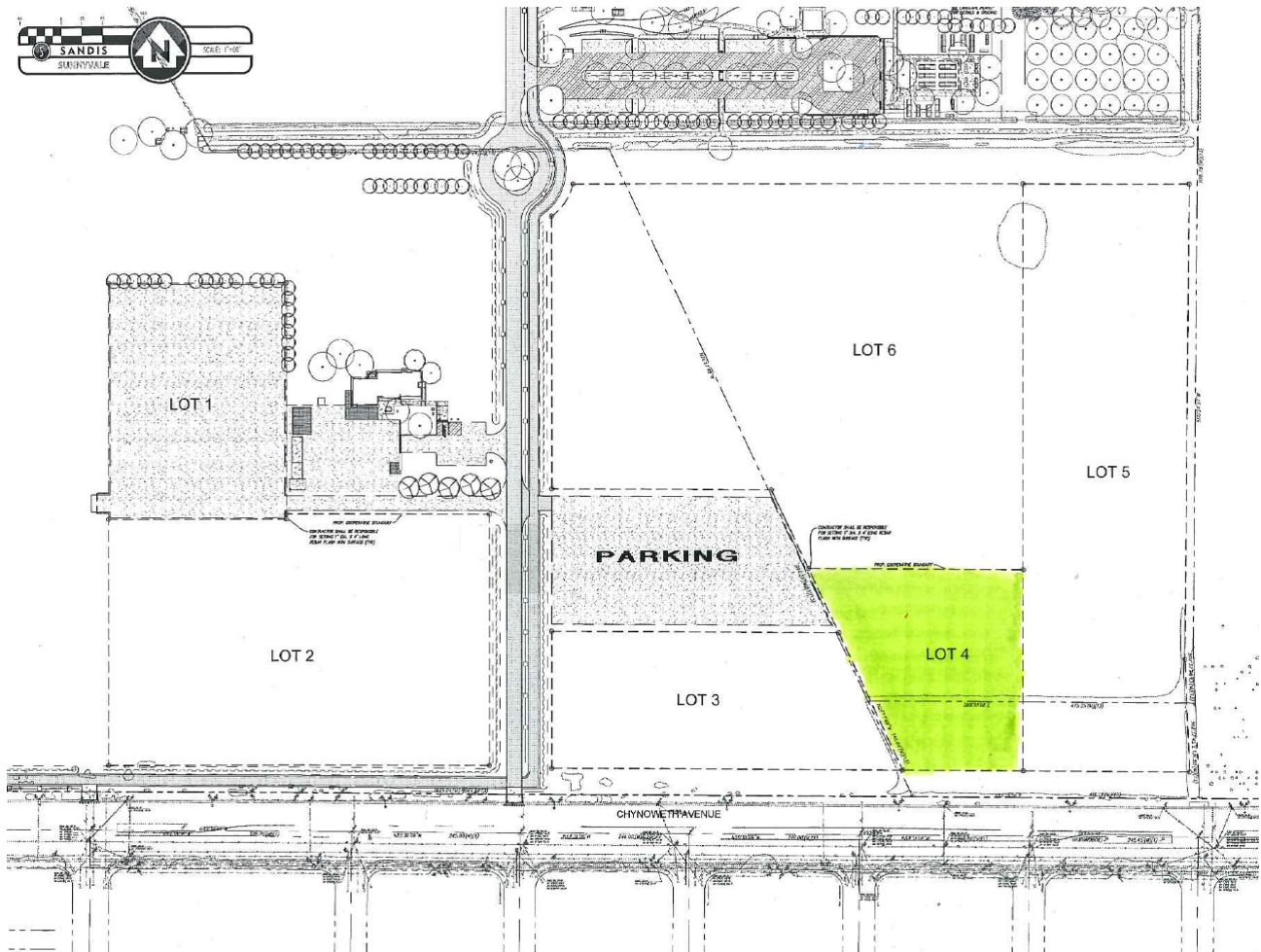
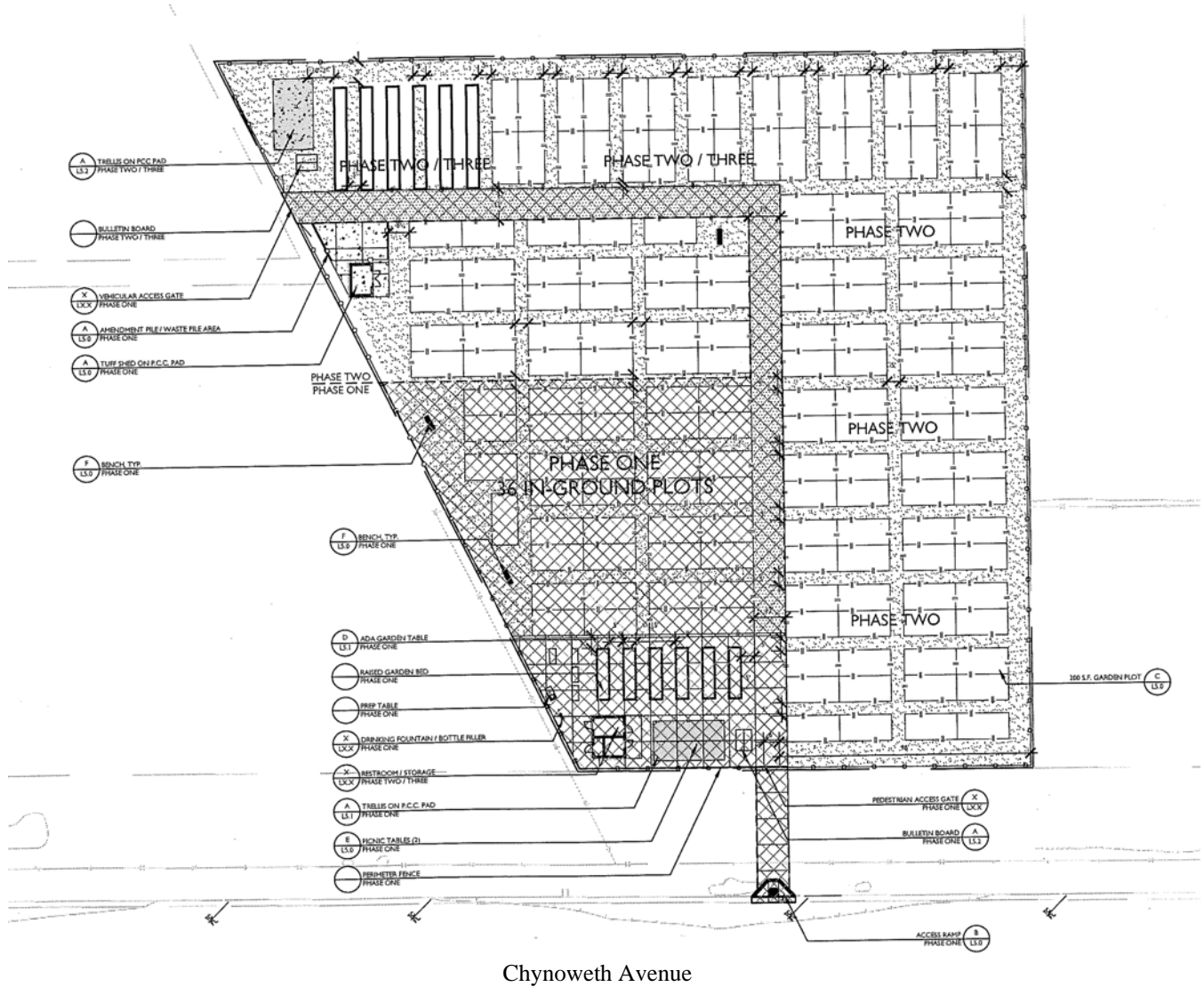


Figure 3
Site Plan for Community Garden



Proposed Martial Cottle Park
Community Garden
City of San José

Figure 4

Project Elements Description

In accordance with the process set forth in Section 7 of the Agreement, City will prepare plans for the construction of the community garden on the Premises, which will reflect the following minimum elements to correspond with the City's Project Budget for Phase One described in Section 6 of the Agreement. All proposed site improvements shall be subject to Section 6 and 7 of the Lease.

The project scope for the Initial Improvements as Phase One includes:

- demolition and clearing of approximate one and one half acre site
- grading of approximate one and one half acre site
- pedestrian and vehicle access from the adjacent parking lot
- pedestrian access from the public street (Chynoweth)
- community garden pathways needed for Phase One Improvements
- drinking fountain and/or bottle filler
- benches and picnic tables
- appropriate signage, information board and/or kiosk
- adequate utility services to support the community garden
- 36 in-ground and 6 above-ground garden plots with water service
- storage/tool shed
- a compost area and bins
- a green waste pick-up area
- portable toilet(s)

In addition, City may include the additional improvements as Phase One, if feasible, as indicated below:

- additional garden plots including ADA garden tables
- additional benches and picnic tables
- preparation table with sink
- shade trellis
- an additional information board and/or kiosk
- an additional storage/tool shed

Pending future funding, Phase Two and/or Phase Three improvements may include:

- any item above not built as Phase One improvements
- restroom/tool storage and a storage/tool shed buildings with utilities to match architecture style of the other buildings in the park.
- additional garden plots with water service, or other type of community gardening subject to approval by both parties
- additional pathways to additional garden plots
- shade trellis with picnic tables